

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Aug 09, 2018

SEAN F. MCVOY, CLERK

JANET R.,

Plaintiff,

v.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

No. 2:17-CV-0387-JTR

ORDER GRANTING STIPULATED
MOTION FOR REMAND
PURSUANT TO SENTENCE FOUR
OF 42 U.S.C. § 405(g)

BEFORE THE COURT is the parties' stipulated motion to remand the above-captioned matter to the Commissioner for additional administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). ECF No. 20. Attorney Edward A. Wicklund represents Plaintiff; Special Assistant United States Attorney Daphne Banay represents Defendant. The parties have consented to proceed before a magistrate judge. ECF No. 7. After considering the file and proposed order, **IT IS ORDERED:**

1. The parties' Stipulated Motion for Remand, **ECF No. 20**, is **GRANTED**. The above-captioned case is **REVERSED** and **REMANDED** to the Commissioner of Social Security for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g).

On remand, the administrative law judge (ALJ) shall offer Plaintiff the opportunity for a *de novo* hearing and issue a new decision. The ALJ shall:

- (1) reevaluate the medical opinion of Stephen Rubin, Ph.D. (Tr. 47-54);
- (2) evaluate the medical assessment from Nurse Practitioner Ross (Tr. 374-384),

1 consistent with 20 C.F.R. §§ 404.1527 and 416.927; (3) reassess Plaintiff's
2 maximum residual functional capacity; and (4) obtain supplemental evidence from
3 a vocational expert, if necessary. The ALJ may take any other actions necessary to
4 develop the record, and Plaintiff may submit additional evidence and present
5 additional argument.

2. Judgment shall be entered for PLAINTIFF.

3. Plaintiff's Motion for Summary Judgment, **ECF No. 16**, is

STRICKEN AS MOOT.

4. An application for attorney fees may be filed by separate motion.

The District Court Executive is directed to enter this Order, forward copies to counsel, and **CLOSE THE FILE**.

DATED August 9, 2018.



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JOHN T. RODGERS
UNITED STATES MAGISTRATE JUDGE